

Attorney Docket No. 1833K US

Response to Final Office Action dated November 13, 2006**Overview**

5 The Applicant is referring to U.S. 2005/0187499 Al Gillis
et al. by paragraph number when referring to the present
invention. Rutt '534 refers to U.S. Patent Number 6,952,534.
Applicant wishes to thank the Examiner for the interview.
Applicant has included the substance of the telephonic interview
in this response per M.P.E.P. 713.04.

Corrections to the Specification

10 Please amend the specification at paragraph 0032 with the
following: "[0032] Turning now to the figures, wherein like
15 components are designated by like reference numerals throughout
the several views. Referring initially to FIGS. 1, 1A and 2,
there is illustrated a compression apparatus 10, constructed in
accordance with the principals of the present disclosure (see,
for example, the compression sleeve described in U.S. Patent
20 Application Serial No. 10/784,607, filed on February 23, 2004
and entitled Compression Apparatus, the entire contents of which
are hereby incorporated by reference herein). Compression
apparatus 10 includes an expandable body, such as, for example,
a foot sleeve 12 configured for disposal about a foot F of a
25 subject (not shown). Foot sleeve 12 may be disposed with the
right or left foot of the subject. Foot sleeve 12 fluidly
communicates with a pressurized fluid source 14 via tubing 16
and a valve connector 18 (see, for example, the valve connector
described in U.S. Patent Application Serial No. 10/784,639,
30 filed on February 23, 2004 and entitled Fluid Conduit Connector
Apparatus, the entire contents of which are hereby incorporated

Attorney Docket No. 1933K US

by reference herein) for applying compression to the left foot and/or the right foot to provide vascular therapy to the subject and augment venous return. Compression apparatus 10 employs a controller 20 to regulate fluid pressure for vascular therapy. See, for example, the controller described in U.S. Patent Application Serial No. 784,323, filed on February 23, 2004 and entitled Compression Treatment System, the entire contents of which is hereby incorporated by reference herein. Pressurized fluid source 14 may include a pump and may be stationary or portable. It is contemplated that pressurized fluid source 14 may include the necessary electronics and computer software to carry out vascular therapy, in accordance with the principles of the present disclosure."

Response to 102(e) Rejection in view of Rutt '534

The Office Action rejected claims 1-2, 4-5 and 7-26 under 35 U.S.C. section 102(e) as being anticipated by Rutt '534. Applicant amended independent claims 1 and 16 and dependent claim 2. Applicant canceled claims 22 and 24-26.

Applicant's Response to Rejected Independent Claim 1

Applicant amended claim 1 to claim a heel strap contoured about the foot of the patient. Rutt '534 does not teach or disclose at least one segment portion along the heel strap as claimed. Applicant respectfully suggests dependent claims 2, 4, 5, and 7-15 are allowable as depending directly or indirectly from an allowable independent claim 1.

Applicant's Response to Rejected Independent Claim 16

Attorney Docket No. 1833K US

Applicant amended claim 16 to define a first and second piece and the second piece is received between the two layers of the first piece, as claimed, providing a two piece construction not taught or disclosed in Rutt '536.

Applicant would like point out that Figure 4 of Rutt '534 teaches and discloses the construction of an air cell (48) mounted on the body facing surface of the Rutt strap 22 and partially on body facing surface of the Rutt main body 12. The heat sealing lines (56) join the Rutt air cell 48 to the material 24 at the body facing surface 24 of the Rutt '534 cuff 10. Thus, the Rutt air cell (48) is not teaching or disclosing the Applicant's two piece construction as arranged in claim 16.

Applicant's figure 1A clearly shows its second piece or heel strap [22] received between the first and second layers of the first piece or foot sleeve [12]. By contrast, Rutt '536 figure 4 is the cross section of its air cell (48) that is not received between the layers of the Rutt '536 main body (12).


REMINDER OF THIS PAGE IS BLANK

Attorney Docket No. 1633K US

Applicant respectfully requests an Examiner interview,
if the above amendments do not place this application in a
condition for allowance. Applicant authorizes the Commissioner
5 of Patents to charge deposit account 190254 for any late fees or
charges necessary to avoid abandonment. I can be reached direct
at (508) 261-8476 or Edward.jarmolowicz@tycohealthcare.com.

Respectfully yours,

10



Edward S. Jarmolowicz

Reg. No. 47,238

Attorney for the Applicant

15

Tyco Healthcare Group LP
15 Hampshire Street
Mansfield, Massachusetts 02048

REMINDER OF THIS PAGE IS BLANK